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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,751	01/12/2004	Forrest F. Wing	P06406US00	9630
27139	7590	11/03/2005		
MCKEE, VOORHEES & SEASE, P.L.C. ATTN: MAYTAG 801 GRAND AVENUE, SUITE 3200 DES MOINES, IA 50309-2721			EXAMINER MILLS, DANIEL J	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/755,751

Applicant(s)

WING, FORREST F.

Examiner

Daniel J. Mills

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10, 12 and 13 is/are rejected.
- 7) ☒ Claim(s) 5, 14-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/12/2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election of group I in the reply filed on 6/16/2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Restriction is made **Final**.

### ***Specification***

The objections set forth in the previous action are withdrawn in view of Applicant's amendment submitted 8/9/2005.

### ***Claim Objections***

The objections set forth in the previous action are withdrawn in view of Applicant's amendment submitted 8/9/2005.

### ***Claim Rejections - 35 USC § 112***

The rejection of claim 14 under 35 USC § 112 set forth in the previous action, is withdrawn in view of Applicant's amendment submitted 8/9/2005.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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Claims 8 and 9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. It is not disclosed in the original specification or drawings that the second clip has flanges that are each an inwardly curved arc, nor is it disclosed that each of the first clip flanges has a lip that engages the inwardly curved arc.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what is meant by "an inwardly curved arc" in line 2 of claim 8.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 6-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Sheiman et al (US 4,422,212).

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As to claim 1, Sheiman discloses a bidirectional slide lock comprising an elongated first clip (20) having a first longitudinal axis, a first pawl (54), a second pawl (62), and a pair of first clip flanges (36, 38), an elongated second clip (66) having a second longitudinal axis, a first pawl stop (88, 90), a second pawl stop (the flange portions of 84 near 94 in figure 2), and a pair of second clip flanges (70, 72), the first and second clip flanges retentively engaging one another to hold the first and second clips together to prevent movement away from one another, the first and second pawls retentively engaging the first and second pawl stops, respectively to hold the first and second clips against longitudinal movement relative to one another along the first and second longitudinal axes, and first (52) and second springs (the area between the end of 62 and 22) biasing the first and second pawls, respectively toward the second clip so as to retain the first and second pawls in retentive engagement with the first and second pawl stops, respectively.

As to claim 2, Sheiman discloses a bidirectional slide lock further comprising a first screw (108 and 112 comprise a screw and nut see column 6 lines 15-20) and a first hole (110) within the second clip to receive the first screw.

As to claim 6, Sheiman discloses a bidirectional slide lock further comprising a second screw (18 and column 3 lines 51-53) and a second hole (34) within the first clip to receive the second screw

As to claim 7, Sheiman discloses a bidirectional slide lock further comprising a handle surface (10 - the luggage has an integral handle) adapted to receive the second screw.

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As to claim 8, Sheiman discloses a bidirectional slide lock wherein each of the first clip flanges is an inwardly curved arc (clearly they curve toward the centerline of the clip).

As to claim 9, Sheiman discloses a bidirectional slide lock wherein each of the second clip flanges (70, 72) has a lip that engages the inwardly curved arc.

As to claim 10, Sheiman discloses a bidirectional slide lock for attaching first and second members together comprising an elongated first clip (20) having a first longitudinal axis and being attached to the first member (10), the first clip having a pair of first clip flanges (36, 38) and a pair of pawls (54, 62), the pair of pawls each having a pawl end, the pawl ends of the pair of pawls facing in opposite directions away from one another, an elongated second clip (66) having a second longitudinal axis and being attached to the second member (12), the second clip having a pair of second clip flanges (70, 72) and a pair of pawl stops (88, 90 and the flange portions of 84 near 94 in figure 2), each of the pair of pawl stops facing in opposite directions toward one another, the first clip flanges and the second clip flanges retentively engaging one another to hold the first clip against movement away from the second clip, and each of the pawl ends of the pair of pawls retentively engaging one of the pair of pawl stops so as to prevent longitudinal movement of the first and second clips relative to one another along the first and second longitudinal axes, whereby the first and second clips hold the first and second members together against movement relative to one another, and a pair of springs (52 and the bent area at the end of 62 at 22) wherein one spring biases

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one pawl toward the second clip and the other spring biases the other pawl toward the second clip.

As to claim 12, Sheiman discloses a bidirectional slide lock wherein the spring biasing each of the pair of pawls comprises a spring arm (56, 62) on which each of the pawls (the ends of the spring arms respectively) is mounted.

As to claim 13, Sheiman discloses a bidirectional slide lock wherein the second clip comprises an elongated strip having a pair of spaced apart holes (92, 94) therein, and the pair of pawl stops each comprise an edge of one of the spaced apart holes (92 is bordered by the facing ends of 88 and 90; 94 is bordered by the bent flange portions of 84).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheiman (US 4,422,212) as applied to claim 1 above, and in further view of Busnelli (US 6,094,866).

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As to claim 3, Sheiman discloses a bidirectional slide lock further comprising a surface adapted to receive the first screw. Sheiman fails to disclose that this surface is part of a door.

Barber teaches the use of a door surface (14) adapted (as shown by the screw hole receiving 68A) to receive a first screw (68A) for the purpose of mounting wheels on a sliding door. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the device of Sheiman to include a door surface as taught by Barber for the purpose of mounting wheels on a sliding door.

As to claim 4, Sheiman in view of Barber discloses a slide lock further comprising a leg (16) adapted (is shaped and sized to fit into screw hole 68C) to extend into the door surface.

#### ***Allowable Subject Matter***

Claims 5 and 14-16 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Claims are allowable because motivation can not be found in the prior art for combining the slide lock of Sheiman with a door surface in such a way that the second clip (66) is joined to the door surface, with a leg extending from the second clip into the door surface.

#### ***Response to Arguments***

Applicant's arguments filed 8/9/2005 have been fully considered but they are not persuasive.



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Applicant asserts that Sheiman fails to disclose a second spring at 62, however, examiner notes that the structure is present even if Sheiman fails to disclose the function as that of a spring. Webster's New Riverside Dictionary defines a spring as "an elastic device". Clearly 62 is formed from the same elastic material as leaf spring 50, and is shaped as a leaf spring. Therefore it is correctly recognized as a spring.

Applicant asserts that Sheiman fails to disclose screws at 16 and 18, however, examiner notes that Sheiman discloses that 16 and 18 are "a pair of fasteners" (column 3 lines 51-53) and that the use of rivets is simply exemplary as one of a range of possible fasteners which includes screws. Examiner believes anyone with ordinary skill in the art would recognize that a screw is a common fastener and is included in Sheman's disclosure.

Applicant asserts that Sheiman fails to disclose a screw at 108, however, examiner notes that Sheiman discloses that "a headed nut can be provided at the upper end of the shaft 108" (column 6 lines 17-18). This clearly means the application of a threaded fastener 108 to allow a nut to be engaged.

Applicant asserts that Sheiman fails to disclose a handle at 12, however examiner notes that the structure is present even if Sheiman fails to disclose the function as that of a handle. Webster's New Riverside Dictionary defines a as "a part that is held or controlled by the hand". Clearly, 12 is a component that is fully capable of being held or controlled by the hand.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Mills whose telephone number is 571-272-8115. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJM  
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10/18/05



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